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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			QUIETT, CARRAMAH J	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,100

Applicant(s)

IJAS ET AL.

Examiner

Carramah J. Quiett

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date: 10/20/05
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendment(s), filed on 4/20/2005, have been entered and made of record. Claims 1-18 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. **Claim 13** is objected to because of the following informalities: Claim 13 recites the following limitation, "...a handle arrangement for a portable foldable electronic device comprising two or more use positions and comprising at least two housing parts foldable in relation to each other and a hinge mechanism arranged for connecting and folding the first and the second housing parts in relation to each other, wherein the handle arrangement comprises a handle-like third housing part arranged for holding the device on the user's palm in the different use positions, *said third housing past* comprising at least:..." The phrase "said third housing *past*" should be changed to "said third housing *part*." Apparently, the Applicant has misspelled the word "part". In the meantime, the Examiner will change the word "past" to "part". Appropriate correction is required.

4. **Claim 17** is objected to because of the following informalities: Claim 17 recites the following limitation, "...an electronic display fitted on at least one said inner wall and arranged

for displaying information..." The phrase "at least *one said inner wall*" should be changed to "at least one *of said inner walls*". Appropriate correction is required.*

***Note:** Please verify and correct other minor informalities in *every* claim.

Claim Rejections - 35 USC § 112

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 14-15, 17, and 18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. **Claim 14** recites the limitation "said inserting movement" in the last line of this claim. There is insufficient antecedent basis for this limitation in the claim.**

8. **Claim 15** recites the limitation "said inserting movement" in the last line of this claim. There is insufficient antecedent basis for this limitation in the claim.**

9. **Claim 17** recites the limitation "therebetween" in " on page 15, last line of the 2nd full paragraph, and second line of the 5th full paragraph of this claim. There is insufficient antecedent basis for this limitation in the claim.

10. **Claim 18** recites the limitation "therebetween" in " on page 16, last line of the 4th full paragraph and on page 17, second line of the 2nd full paragraph of this claim. There is insufficient antecedent basis for this limitation in the claim.

11. **Claim 18** recites the limitation "for their control" in on page 17, last line of the 3rd full paragraph of this claim. There is insufficient antecedent basis for this limitation in the claim.

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12. **Claim 18** recites the limitation "protecting it" in on page 17, last line of the 4th full paragraph of this claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

****Note:** Due to the 112 Rejections of the claims listed above, the prior art rejection will be applied to those particular claims as best understood by the Examiner.

14. **Claims 1, 4, 6, 8, 11-13 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al. (U.S. Pat. #6,069,648).

For **claim 1**, Suso discloses an information communication terminal device comprising an opened use and a closed use position (figs. 3a and 3b; col. 3, lines 45-57), said device comprising at least:

a first housing part comprising at least an inner wall (fig. 3b, ref. 1),

a second housing part comprising at least an inner wall (fig. 3b, ref. 2);

a hinge mechanism (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5) arranged to fold the first and the second housing parts in the closed use position in relation to each other for a first use position, wherein the inner walls are against each other (fig. 3a; col. 3, lines 45-52), and in the open use position for a second use position (col. 3, lines 54-58; col. 4, lines 30-38), wherein the inner walls are adjacent to each other (fig. 3b). Although Suso states that when the device is closed it is in a non-use state in col. 4, lines 26-28, it is inherent that Suso's device has a use for the closed position. When device is in the closed position, this position is used to protect the

parts of the phone when the device is in someone's pocket. Additionally, this device is still in use when it's in the closed position because the phone can ring to notify the operator of an incoming call,

an electronic display (fig. 1a, refs. 4,5) fitted on at least one of said inner wall and arranged for displaying information to the user in the opened use position (figs. 1/3a), when the device is on the palm and the display is directed at the user. Please see figs. 4-5d, which shows Suso's device being operated at different angles. This allows the device to display information to the user in the opened position (fig. 1), when the device is on the palm or on a base and the display is directed at the user. Please read col. 4, lines 11-60, and

a third housing part (fig 1a, ref. 8) arranged for holding the device on the palm in the first and second use positions (col. 2, line 54 – col. 3, line 5; col. 4, lines 11-60 and illustrated in figs. 1a-1b) comprising a first wall (facing out of the page) to be placed transversely to the user's palm (figs. 4, 5b-5c; due the various positions of the device, its inherent that a user can choose to arrange the third housing for holding in any manner), an opposite wall (facing into of the page) on the opposite side of the third housing part in relation to said first wall, two adjacent walls (right and left) between said first wall and said opposite wall, and an upper wall (abuts the bottom portion of the first housing, ref. 1);

wherein the hinge mechanism (fig. 1a, refs. 6 and 7) is fitted on the side of said opposite wall (facing into of the page) and arranged for folding the first and the second housing parts also in relation to the third housing part (fig 1a, ref. 8). Please read col. 2, line 53 – col. 3, line 5;

wherein one of said adjacent walls (right and left) is provided with at least one key button (fig. 1c, ref. 11) within the reach of the fingers for controlling the electronic functions of the

device col. 2, line 57; col. 4, lines 63-67). When the power (another word for control) source button is turned on, a menu is displayed.

wherein said first wall, said upper wall or* an edge between said first wall and said upper wall is provided with a navigation key within the reach of the forefinger, said navigation key being equipped also with a push-button function and arranged rotatable in at least two opposite directions. Suso discloses a power source button (fig. 1c, ref. 11; col. 3, lines 23-25) at the rotary shaft, which is on the left edge of the housing member (fig. 1a, ref. 8). Together the power source button and the rotary shaft encompass a navigation key. This feature allows a user to turn on the device for selecting the record mode (col. 4, line 63 – col. 5, line 4) and the option to rotate the camera (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5). On the right side of the housing member, there is a connector part (fig. 1b, ref. 3), which connects the electrically coupled housings (col. 1, line 52 – col. 2, line 12).

Suso does not expressly disclose a device wherein each one of said adjacent walls is provided with at least one key button. The Examiner takes Official Notice that it is well known in the art for each one of the adjacent walls to have at least one key button. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for to modify Suso's device wherein each one of the adjacent walls is provided with at least one key button so that when a user hold the device with his/her hand, his/her fingers will naturally make contact with the key button.

For claim 4, Suso, as modified by the Official Notice, discloses the device wherein the device further comprises electronic display means arranged on at least one of said adjacent walls. As illustrated in figs. 1b and 1c, the electronic display housing abuts each adjacent wall (right

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and left) and is arranged for presenting information to the user in the closed position of the device. When the device is closed, this device is inherently still in use, via the infrared communication means (fig. 3a, ref. 10'). Since ref. 10' is a communication means, it presents information to the user by transmitting information to a computer (col. 3, lines 59-65).

For **claim 6**, Suso, as modified by the Official Notice, discloses the device wherein, the opened use position, the third housing part is on the opposite side of the device in relation to the inner walls, extending in a direction which is perpendicular to said inner walls. Please see figs. 1a and 3b; and read col. 2, lines 48-65.

For **claim 8**, Suso, as modified by the Official Notice, discloses the device, wherein one of the housing parts (fig. 1a, ref. 8) is provided with electronic image sensor means for still and/or video images (col. 2, lines 59-62), wherein said at least one button (fig. 1c, ref. 11) and the navigation key are also arranged for the control of said electronic image sensor means (col. 4, line 63 – col. 5, line 4). As stated earlier, together the power source button and the rotary shaft encompass a navigation key. This feature allows a user to turn on the device for selecting the record mode (col. 4, line 63 – col. 5, line 4) and the option to rotate (an procedure for controlling) the camera (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5). On the right side of the housing member, there is a connector part (fig. 1b, ref. 3), which connects the electrically coupled housings (col. 1, line 52 – col. 2, line 12).

For **claim 11**, Suso, as modified by the Official Notice, discloses the device, wherein the navigation key is a rotatable roll or a rocker key. Please see fig. 1a, refs. 6 and 7; and read col. 2, line 66 – col. 3, line 5; and col. 4, line 63 – col. 5, line 4.

For **claim 12**, Suso, as modified by the Official Notice, discloses the device wherein the device is a communication device comprising at least a CMT user interface which is available in the closed use position of the device (1), and at least a PDA user interface which is available in the opened use position of the device (1). Please see figs. 3a and 7; and read col. 1, line 48- col. 3, line 12. As mentioned in Suso's disclosure, his device is also a portable phone. When the device is closed, this device is inherently still in use, via the infrared communication means (fig. 3a, ref. 10'), because information from the device can be transmitted to a computer (col. 3, lines 59-65).

For **claim 13**, Suso discloses a handle arrangement for a portable (Note: Due to various positions of the device, it's inherent that a user can choose to hold the third housing in any manner. The handle arrangement can be the either one of the first, second, or third housings), foldable electronic device comprising two or* more use positions and comprising at least two housing parts (fig. 3b, refs. 1 and 2) foldable in relation to each other (figs. 3a and 3b; col. 3, lines 45-57) and a hinge mechanism (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5) arranged for connecting and folding the first and the second housing parts in relation to each other (col. 2, line 66 – col. 3, line 5), wherein the handle arrangement comprises a handle-like third housing part (fig 1a, ref. 8) arranged for holding the device on the user's palm in the different use positions said third housing part comprising at least:

a first wall (facing out of the page) to be placed transversely against the user's palm (figs. 4, 5b-5c; Note: As stated before, due the various positions of the device, it is inherent that a user can choose to hold the third housing in any manner), and

an opposite wall (facing into of the page) on the opposite side of the third housing part in relation to said first wall,

two adjacent walls (right and left) between said first wall and an opposite wall, and

an upper wall (abuts the bottom portion of the first housing, ref. 1);

wherein said hinge mechanism (fig. 1a, refs. 6 and 7) is connected on said opposite wall (facing into of the page) (please read col. 2, line 53 thru col. 3, line 5), and

wherein one of said adjacent walls (right and left) is provided with at least one key button (fig. 1c, ref. 11) within the reach of the fingers for controlling the electronic functions of the device col. 2, line 57; col. 4, lines 63-67). When the power (another word for control) source button is turned on, a menu is displayed.

wherein said first wall, said upper wall or an edge between said first wall and said upper wall is provided with a navigation key within the reach of the forefinger, said navigation key being equipped also with a push-button function and arranged rotatable in at least two opposite directions. Suso discloses a power source button (fig. 1c, ref. 11; col. 3, lines 23-25) at the rotary shaft, which is on the left edge of the housing member (fig. 1a, ref. 8). Together the power source button and the rotary shaft encompass a navigation key. This feature allows a user to turn on the device for selecting the record mode (col. 4, line 63 – col. 5, line 4) and the option to rotate the camera (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5). On the right side of the housing member, there is a connector part (fig. 1b, ref. 3), which connects the electrically coupled housings (col. 1, line 52 – col. 2, line 12). Additionally, Suso's navigation keys are placed on the first or second housings (fig. 7, ref. 21a and fig. 8, ref. 23b).

Suso does not expressly disclose a device wherein each one of said adjacent walls is provided with at least one key button. The Examiner takes Official Notice that it is well known in the art for each one of the adjacent walls to have at least one key button. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for to modify Suso's device wherein each one of the adjacent walls is provided with at least one key button so that when a user hold the device with his/her hand, his/her fingers will naturally make contact with the key button.

For **claim 16**, Suso discloses a handle arrangement for a portable (Note: Due to various positions of the device, it's inherent that a user can choose to hold the third housing in any manner. The handle arrangement can be the either one of the first, second, or third housings), foldable electronic device comprising two or* more use positions and comprising at least two housing parts (fig. 3b, refs. 1 and 2) foldable in relation to each other (figs. 3a and 3b; col. 3, lines 45-57) and a hinge mechanism (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5) arranged for connecting and folding the first and the second housing parts in relation to each other (col. 2, line 66 – col. 3, line 5), wherein the handle arrangement comprises a handle-like third housing part (fig 1a, ref. 8) arranged for holding the device on the user's palm in the different use positions, said third housing part comprising at least:

a first wall (facing out of the page) to be placed transversely against the user's palm (figs. 4, 5b-5c; Note: As stated before, due the various positions of the device, it is inherent that a user can choose to hold the third housing in any manner), and

an opposite wall (facing into of the page) on the opposite side of the third housing part in relation to said first wall,

two adjacent walls (right and left) between said first wall and an opposite wall, and
an upper wall (abuts the bottom portion of the first housing, ref. 1);

wherein one of said housing parts (fig. 1a, refs. 6 and 7) directly is connected on said
opposite wall (facing into of the page) (please read col. 2, line 53 thru col. 3, line 5), wherein the
hinge mechanism (fig. 1a, refs. 6 and 7) and the third housing part (fig 1a, ref. 8) are placed on
opposite sides of said one of said housing parts (fig 1a, ref. 8), and

wherein one of said adjacent walls (right and left) is provided with at least one key button
(fig. 1c, ref. 11) within the reach of the fingers for controlling the electronic functions of the
device col. 2, line 57; col. 4, lines 63-67). When the power (another word for control) source
button is turned on, a menu is displayed.

wherein said first wall, said upper wall or* an edge between said first wall and said upper
wall is provided with a navigation key within the reach of the forefinger, said navigation key
being equipped also with a push-button function and arranged rotatable in at least two opposite
directions. Suso discloses a power source button (fig. 1c, ref. 11; col. 3, lines 23-25) at the rotary
shaft, which is on the left edge of the housing member (fig. 1a, ref. 8). Together the power
source button and the rotary shaft encompass a navigation key. This feature allows a user to turn
on the device for selecting the record mode (col. 4, line 63 – col. 5, line 4) and the option to
rotate the camera (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5). On the right side of the
housing member, there is a connector part (fig. 1b, ref. 3), which connects the electrically
coupled housings (col. 1, line 52 – col. 2, line 12).

Suso does not expressly disclose a device wherein each one of said adjacent walls is
provided with at least one key button. The Examiner takes Official Notice that it is well known

in the art for each one of the adjacent walls to have at least one key button. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for to modify Suso's device wherein each one of the adjacent walls is provided with at least one key button so that when a user hold the device with his/her hand, his/her fingers will naturally make contact with the key button.

15. **Claims 2, 14, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al. (U.S. Pat. #6,069,648) in view of Abe (JP Pub. #11-136655).

For **claim 2**, Suso discloses the device, wherein the first and the second housing parts are arranged to move away from the third housing part. Figure 2 illustrates the assembly of the first, second, and third housings via the hinge mechanism (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5). Further, col. 3, lines 27-44 describes how the housings are inserted into the hinge mechanism. It is apparent that the first and the second housing parts are arranged to move away from the third housing part by separating the housings in reverse to the method for inserting the housings. Since Suso's device is capable of numerous positions (figs. 4 and 5a-5d) moving the first and second housing away from the third housing can apparently be completed before opening in opposite directions. Additionally, the hinge mechanism allows one to rotate the camera housing (ref. 8). Suso does not disclose the device wherein the first and the second housing parts are arranged to move away from the third housing part before opening in said open use position and wherein the first and the second housing parts, when placed against each other, are arranged, upon closing in said closed use position, to be partly inserted in the third housing part to reduce the outer dimensions of the device.

In a similar field of endeavor, Abe discloses the first (ref. 10a) and the second (ref. 10b) housing parts placed against each other are arranged (please see drawings 1 and 3), upon closing in said closed use position, to be partly inserted in the third housing part (ref. 30) to reduce the outer dimensions of the device. As illustrated in drawing 1, the device (ref. 10) consists of the first (ref. 10a) and second (10b) housings. The limitation “Upon closing in said closed use position” is when the second housing (ref. 10b) is inserted (fastened/closed by the connector (18)) to the third housing (30). The second housing is inside the opening of the third housing, which leaves the first housing on the outside of the third housing. This reduces the dimensions of device (ref. 10) to the first housing (ref. 10a) – see drawing 3. Similar to Suso, Abe’s camera housing (ref. 31) is also rotatable (English translation of Abe, paragraphs 0051-0017). Similarly, the first and the second housing parts are arranged to move away from the third housing part before opening in said open use position when the second housing is removed (unfastened/opened) from the connector. In light of the teaching of Abe, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Suso’s invention with the housing insertion technique of Abe so that the consumer can choose whether or not he wants to have a camera on his communication device (Abe, paragraph [0010]).

For **claim 14**, Suso discloses the handle arrangement, wherein for reducing the outer dimensions of the device, the handle arrangement is arranged to store said hinge mechanism in a movable manner and at least partly inside the third housing part, or* the handle arrangement is arranged to insert one of said one housing parts at least partly in the third housing parts, wherein the coupling between one of said housing parts and the third housing part allows at least *said inserting movement*. Figure 2 illustrates the assembly of the first, second, and third housings via

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the hinge mechanism (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5). Further, col. 3, lines 27-44 describes how the housings are inserted into the hinge mechanism. It is apparent that the first and the second housing parts are arranged to move away from the third housing part by separating the housings in reverse to the method for inserting the housings. Additionally, since Suso's device is capable of numerous positions (figs. 4 and 5a-5d) moving the first and second housing away from the third housing can apparently be completed before opening in opposite directions.

In a similar field of endeavor, Abe discloses the first (ref. 10a) and the second (ref. 10b) housing parts placed against each other are arranged (please see drawings 1 and 3), upon closing, to be partly inserted in the third housing part (ref. 30) to reduce the outer dimensions of the device. As illustrated in drawing 1, the device (ref. 10) consists of the first (ref. 10a) and second (10b) housings. When the second housing (ref. 10b) is inserted in the third housing (30), it inside the opening of the third housing, which leaves the first housing on the outside of the third housing. This reduces the dimensions of device (ref. 10) to the first housing (ref. 10a) – see drawing 3. Similar to Suso, Abe's camera housing (ref. 31) is also rotatable (English translation of Abe, paragraphs 0051-0017). In light of the teaching of Abe, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Suso's invention with the housing insertion technique of Abe so that the consumer can choose whether or not he wants to have a camera on his communication device (Abe, paragraph [0010]).

For **claim 15**, Suso, as modified by Abe, discloses a handle arrangement wherein the third housing part allows also the folding of said one of said housing parts in relation to said third

housing part before *said inserting movement*. (Suso, figs. 4 and 5a-5d; Abe, figs. 1/3 and paragraphs 0051-0017).

16. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al. (U.S. Pat. #6,069,648) in view of Frye et al. (U.S. Pat. #6,188,765).

For **claim 3**, Suso does not disclose the device, wherein said upper wall is provided with a key button within the reach of the forefinger for opening the first and the second housing parts automatically by means of the hinge mechanism. Instead, Suso's device has a hinge mechanism (fig. 1a, refs. 6 and 7) that rotates (col. 2, line 66- col. 3, line 5).

Frye discloses characterized in that said upper wall is provided with a key button (fig. 4, ref. 10) within the reach of the forefinger for opening the first and the second housing parts automatically by means of the hinge mechanism (col. 4, lines 17-41). In light of the teaching of Frye, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Suso's invention with the key button of Frye to assist a user of the handset in being able to open the phone using only one hand (Frye, col. 1, lines 49-50).

17. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al. (U.S. Pat. #6,069,648) in view of Phillipps (GB Pub. #2314179A).

For **claim 7**, Suso discloses the device the opened use position, the inner walls are parallel and placed adjacent to each other, but they do not form a uniform inner wall. In a similar field of endeavor, Phillipps discloses a portable electronic apparatus characterized in that in its opened position, the inner walls are parallel and placed adjacent to each other to form a uniform inner wall (Abstract, figure 5). Similar to Suso, Phillipps has three housings, which

includes a hinge mechanism (fig. 5, ref. 13). In addition Phillipps' apparatus may be applied to a combined mobile telephone and computer apparatus (page 1, lines 24-28). In light of the teaching of Phillipps, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Suso's invention with the uniform inner wall of Phillipps so that information the device can be read or written similar to a book or notebook (Phillipps, page 2, lines 11-14).

18. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al. (U.S. Pat. #6,069,648) in view of Abe (JP Pub. #11-136655), and further in view of Frye et al. (U.S. Pat. #6,188,765).

For **claim 10**, Suso discloses the device the hinge mechanism comprises:

a hinge system (fig. 1a, refs. 6 and 7; col. 2, line 66 – col. 3, line 5) arranged for folding the first and the second housing parts in relation to each other and in relation to the third housing part (figs. 3a and 3b; col. 3, lines 45-57).

Column 3, lines 27-44 describes how the housings are inserted into the hinge mechanism. It is apparent that the first and the second housing parts can be ejected from the third housing part via the user by separating the housings in reverse to the method for inserting the housings. Since Suso's device is capable of numerous positions (figs. 4 and 5a-5d) moving the first and second housing away from the third housing can apparently be completed before opening in opposite directions. Additionally, the hinge mechanism allows one to rotate the camera housing (ref. 8).

Suso does not disclose an ejector mechanism arranged to eject the first and the second housing parts wholly and the hinge system partly from the third housing part, and an unfolding

mechanism arranged to assist in the opening of the first and the second housing parts in the opened use position.

In a similar field of endeavor, Abe discloses the first (ref. 10a) and the second (ref. 10b) housing parts placed against each other are arranged (please see drawings 1 and 3), upon closing, to be partly inserted in the third housing part (ref. 30) to reduce the outer dimensions of the device. As illustrated in drawings 1 and 3, the user can eject the first and second housings along with the hinge from the third housing. Similar to Suso, Abe's camera housing (ref. 31) is also rotatable (English translation of Abe, paragraphs 0051-0017). In light of the teaching of Abe, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Suso's invention with the housing insertion technique of Abe so that the consumer can choose whether or not he wants to have a camera on his communication device (Abe, paragraph [0010]).

In a similar field of endeavor, Frye discloses a ridge (unfolding mechanism; fig. 4, ref. 10) within the reach of the forefinger for opening the first and the second housing parts automatically by means of the hinge mechanism (col. 4, lines 17-41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Suso's invention with the ridge of Frye to assist a user of the handset in being able to open the phone using only one hand (Frye, col. 1, lines 49-50).

***Note:** The U.S. Patent and Trademark Office considers Applicant's "or" language to be anticipated by any reference containing one of the subsequent corresponding elements.

Allowable Subject Matter

19. Claims 17-18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takagi (#6,788,551)	A foldaway electronic device with a lock release mechanism.
Britz (#5,414,444)	A personal communicator for use in a wireless communication network.
Tsakamoto (#6,738,642)	Communication device with operation dials on the left and right sides.
Umezawa et al. (5,491,507)	A video telephone with a speaker is arranged at the upper end part of the front of the casing and a camera is mounted on the casing so as to be capable of altering its angle. The user's movements are not hampered during the transmission and reception, and the equipment can assume various communication or service attitudes conforming to the contents of information for the communications.
Ijas et al. (#2002/0016191)	A portable, foldable electronic device comprising an open and closed use position.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571) 272-7316. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.J.Q.
October 3, 2005


NGOC-YEN VU
PRIMARY EXAMINER